

**MORRISON & FOERSTER LLP**

Attorneys at Law  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5600  
Facsimile: (650) 494-0792

**RECEIVED**  
**CENTRAL FAX CENTER**

**OCT 13 2004**

**To:**

NAME:	FACSIMILE:	TELEPHONE:
MS Amendment United States Patent and Trademark Office	(703) 872-9306	(571) 272-1947

**FROM:** Mike Garrabrants**DATE:** October 13, 2004

Number of pages with cover page:	10
----------------------------------	----

Preparer of this slip has confirmed that facsimile number given is correct: 9369/cgml

**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**Comments:**

**Comments: RESPONSE TO NON-FINAL OFFICE ACTION**

**DOCKET NO.:** 245402003700

**GROUP ART UNIT:** 2828

**EXAMINER:** P. Nguyen

**SERIAL NO.:** 10/006,297

**FILING DATE:** December 6, 2001

**INVENTOR(S):** Nobuhiro NISHIYAMA

**TITLE:** SEMICONDUCTOR LASER DEVICE

**Papers attached:**

1. Transmittal (1 page)
2. Amendment/Response (8 pages)

PA-927312

PTO/SB/21 (04-04)

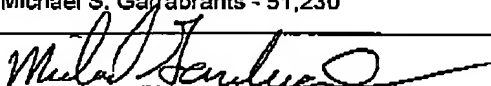
Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/006,297	
	Filing Date	December 6, 2001	
	First Named Inventor	Nobuhiro NISHIYAMA	
	Art Unit	2828	
	Examiner Name	P. Nguyen	
Total Number of Pages In This Submission	9	Attorney Docket Number	245402003700

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply (8 pages)  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Michael S. Garabrants - 51,230
Signature	
Date	October 13, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: October 13, 2004

Signature:  (Carolyn G. McKubre)

pa-927306

OCT 13 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: October 13, 2004

Signature: 

(Carolyn G. McKubre)

Docket No.: 245402003700

Client Reference: 901483-01 (MS/ht)  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Nobuhiro NISHIYAMA

Application No.: 10/006,297

Art Unit: 2828

Filed: December 6, 2001

Examiner: P. Nguyen

For: SEMICONDUCTOR LASER DEVICE**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated July 14, 2004 (Paper No. 070204), for which a response is due on October 14, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

pa-926904